

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Pomarede, et al.
App. No. : 10/626,217
Filed : July 24, 2003
For : SURFACE PREPARATION
PRIOR TO DEPOSITION
Examiner : Christy L. Novacek
Group Art Unit : 2822
Customer No. : 20,995

Confirmation Number: 9650

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

**DECLARATION OF PRIOR INVENTION IN THE UNITED STATES OF AMERICA TO
OVERCOME CITED PATENT OR PUBLICATION UNDER 37 C.F.R. § 1.131**

Sir:

I, Jeff Roberts, do hereby declare as follows:

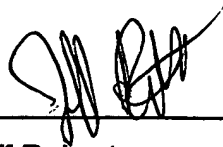
1. I am a named joint inventor of the subject matter of U.S. Patent Application 10/626,217 (filed 24 July 2003), which is a divisional of U.S. Patent Application 09/944,734 (filed 31 August 2001), which claims the benefit of U.S. Provisional Applications 60/253,693 (filed 24 November 2000) and 60/283,584 (filed 13 April 2001).
2. The joint inventors who contributed to the development of the presently claimed invention are Christophe F. Pomarede, Jeff Roberts and Eric J. Shero.
3. I have read the Final Office Action dated 17 December 2004, and understand that Claims 1–3, 9–11 and 15 have been rejected by the Examiner under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,800,830 ("Mahawili").

4. I further understand that Claims 4–8 and 12–14 stand rejected as being obvious based on Mahawili in view of one or more of U.S. Patent 6,727,148 (“Setton”), U.S. Patent 6,297,539 (“Ma”) and U.S. Patent 6,744,104 (“Aoki”).
5. I conceived of the subject matter of the present application before 18 August 2000 and, therefore, before the earliest priority date to which Mahawili may be entitled.
6. Exhibit A is a photocopy of an invention disclosure that describes the invention claimed in the present application. All three joint inventors signed the invention disclosure before 18 August 2000.
7. Following conception, I assisted patent attorneys with the preparation of a provisional patent application related to the invention. From a date before 18 August 2000 until filing of a provisional patent application on 24 November 2000, I worked diligently with the patent attorneys to prepare the application and to ensure that it accurately represented the invention.
8. All work described herein was performed by me or one of the other joint inventors, or on our behalf, in the United States of America.
9. All statements made herein of my own knowledge are true. All statements made on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine, imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

7/28/05

Date

1792140
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Jeff Roberts

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Sir:

I, Christophe F. Pomarede, do hereby declare as follows:

1. I am a named joint inventor of the subject matter of U.S. Patent Application 10/626,217 (filed 24 July 2003), which is a divisional of U.S. Patent Application 09/944,734 (filed 31 August 2001), which claims the benefit of U.S. Provisional Applications 60/253,693 (filed 24 November 2000) and 60/283,584 (filed 13 April 2001).
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July 14, 2005

Date

1792138
062805



Christophe F. Pomarede